

REMARKS

By this Response, no claims are amended, added or cancelled. Accordingly, after entry of this Response, claims 1-23 will remain pending in the patent application. Reconsideration and allowance of the present patent application based on the following remarks are respectfully requested.

Claims 1-21 and 23 were rejected under 35 U.S.C. §102(b) based on Kannes (U.S. Pat. No. 5,382,972). The rejection is respectfully traversed.

Claim 1 is patentable over Kannes at least because this claim recites a conference system comprising, *inter alia*, a control panel operatively coupled to the signal processor, providing control over the signals routed thereby, wherein the control panel also controls the input-output devices so that a private communication may be established between the first and second input-output devices, at the exclusion of the third input-output device, such that the signals generated by the first and second input-output devices are maintained in confidence and such that the attorney and the attorney's client are permitted to engage in a private communication without vitiating the attorney-client privilege. Kannes does not disclose, teach or suggest a conference system including these features.

Kannes discloses a video conference system including a local module, which comprises various display units 12, 13 (identified as the "third and first input-output devices" of claim 1) and cables 30, 40, 51, and a remote module, which comprises a microphone M5, a loudspeaker 14a, and a telephone 52 (identified as the "second input-output device" of claim 1). Kannes also discloses that the video conference system also includes a control module that comprises various recording units (64-67) and a computer 68 (identified as the "signal processor" of claim 1).

However, unlike the invention of claim 1, Kannes is silent as to a control panel operatively coupled to the signal processor, providing control over the signals routed thereby. Kannes merely discloses that the control console 25 (identified as the "control panel" of claim 1) is used to connect and disconnect the output of the system's microphones and loudspeakers (at the local and remote locations) for independently connecting and disconnecting the audio channels to the recording units of the control module. (*See* col. 4, lines 66-68, col. 5, lines 1-7, col. 6, lines 55-65). Kannes does not disclose, teach or suggest that the control console 25 is operatively coupled to the computer 68. As can be seen in FIG. 5 of Kannes, computer 68 is a programmed computer that independently implements

instructions from a software without being controlled by any input-output device. (*See* col. 15, lines 35-52). As such, contrary to what is asserted by the Office Action, the control console of Kannes is not operatively coupled to the computer 68. Therefore, Kannes does not disclose, teach or suggest each and every feature recited by claim 1 and, as a result, cannot anticipate claim 1.

Furthermore, in contrast to the invention of claim 1, Kannes does not disclose, teach or suggest that the control console 25, or any other device, controls the various input-output devices such that a private communication may be established between remote conferee 5 and attorney 3 between telephone 52 (identified as the “second input-output device” of claim 1) and display unit 13 (identified as the “first input-output device” of claim 1), for at least the following reasons.

First, and as mentioned previously, the control console 25 of Kannes is merely used to connect and disconnect the output of the system’s microphones and loudspeakers for independently connecting and disconnecting the audio channels to the recording units of the control module. However, such activation and deactivation of the system’s microphones and loudspeakers, either at the local or remote module, does not establish a private communication between remote conferee 5 and attorney 3. Thus, Kannes discloses that a private communication may be established only when the remote conferee 5 confers with attorney 3 via secured telephones 52/50 through communication link 51. (*See* col. 5, lines 25-35). Kannes does not disclose that a private conversation may be established via communication links 30/40, which connect the various microphones and loudspeakers of the system.

Second, the communication link 51 is independent from the communication links 40/30, which are connected to the control console 25. (*See* FIG. 1 and col. 4, lines 66-68). As such, communication link 51 is not controlled by the control console 25.

Third, contrary to what is asserted by the Office Action, telephone 52 (identified as the “second input-output device” of claim 1) is not in communication with the display unit 13 (identified as the “first input-output device” of claim 1). Rather, Kannes discloses that telephone 52 is connected to telephone 50 via communication link 51, which is secured by providing voice scrambling, and that whenever the telephones are in use, the computer 68 is programmed to automatically disable the recording of conferee 3’s microphone and conferee 5’s microphone. (*See* col. 5, lines 25-45). Therefore, Kannes does not disclose, teach or suggest that the control console 25, or any other device, controls the various input-output devices such that a private communication may be established between remote conferee 5

and attorney 3. As a result, Kannes does not disclose, teach or suggest each and every feature recited by claim 1 and, as a result, cannot anticipate claim 1.

Claims 2-21 are patentable over Kannes at least by virtue of their dependency from claim 1 and for the additional features recited therein.

Claim 23 is patentable over Kannes for at least similar reasons as provided above in claim 1, and for the additional features recited therein. Namely, claim 23 is patentable over Kannes at least because this claim recites a conference system comprising, *inter alia*, a control panel operatively coupled to the signal processor, providing control over the signals routed thereby, wherein the control panel also controls the input-output devices so that a private communication may be established between the first and second input-output devices, at the exclusion of the third input-output device, such that the signals generated by the first and second input-output devices are maintained in confidence. For similar reasons as provided above in claim 1, Kannes does not disclose, teach or suggest these features. Therefore, Kannes does not disclose, teach or suggest each and every feature recited by claim 23 and, as a result, cannot anticipate claim 23.

Accordingly, reconsideration and withdrawal of the rejection of claims 1-21 and 23 under 35 U.S.C. §102(b) based on Kannes are respectfully requested.

Claim 22 was rejected under 35 U.S.C. §103(a) based on Kannes in view of Taub (GB 2278516). The rejection is respectfully traversed.

Claim 22 recites an audio-video conference method wherein, *inter alia*, when the attorney wishes to conduct an attorney-client privileged communication with the inmate, the judge selects an attorney-client sidebar function via the control panel. As conceded by the Office Action, Kannes fails to disclose, teach or suggest these features. The Examiner then relied on Taub as allegedly disclosing these features. Applicants respectfully disagree and respectfully submit that Taub fails to remedy the deficiencies of Kannes.

Taub merely discloses a video conference system that includes a master/chairman console 40 which is connected to a plurality of telephone lines 50, 52, each sending and receiving signals from separate individual conference venues. (*See* page 1). Taub further discloses that the chairman 40 may select the video image from any of the member consoles for transmission down the telephone line 44. However, Taub fails to disclose, teach or suggest that the chairman selects an attorney-client sidebar function via the control panel. There is no teaching or suggestion anywhere in Taub about these features. In fact, Applicants respectfully note that Taub does not even hint at attorney-client communication. As such,

any reasonable combination of Kannes and Taub cannot result in any way in the invention of claim 22.

Furthermore, neither Kannes nor Taub disclose, teach or suggest an audio-video conference method comprising, *inter alia*, operatively coupling a control panel, controlled by a judge, to the signal processor, wherein, after initiating the attorney-client sidebar feature, the first and second input-output devices communicate with one another, to the exclusion of the third input-output device, thereby permitting the attorney and client to engage in an attorney-client communication without vitiating the attorney-client privilege.

As mentioned previously in the discussion related to claim 1, Kannes is silent as to operatively coupling a control panel, controlled by a judge, to the signal processor. In Kannes, the control console 25 is not operatively coupled to the computer 68. Kannes merely discloses that the computer 68 is auto-programmed to perform software instructions. Moreover, Taub fails to remedy the deficiencies of Kannes.

Furthermore, Taub fails to disclose that after initiating the attorney-client sidebar feature, the first and second input-output devices communicate with one another, to the exclusion of the third input-output device, thereby permitting the attorney and client to engage in an attorney-client communication without vitiating the attorney-client privilege. Taub is completely silent about anything related to attorney-client communication. As such, any reasonable combination of Kannes and Taub cannot result in the invention of claim 22.

Furthermore, Applicants respectfully submit that there is no motivation or suggestion to combine Kannes and Taub.

As mentioned previously, Taub is silent as to privileged communication, much less privileged communication between an attorney and a client. Taub does not even hint at a system that maintains private communication in confidence. As such, Applicants respectfully submit that one of ordinary skill in the art would clearly not be motivated to modify Kannes' teachings in view of Taub for the purpose of providing an attorney-client side bar function.

Accordingly, reconsideration and withdrawal of the rejection of claim 22 under 35 U.S.C. §103(a) based on Kannes in view of Taub are respectfully requested.

The rejections having been addressed, Applicants respectfully request issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicants request that the Examiner contact Applicants' undersigned representative at the telephone number listed below.

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Respectfully submitted,

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